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# AN ASSIZE SERMON,

Preached before the Right Ho-  
nourable the Lord Chief Justice GLYN,  
and Mr Serjeant EARLE Judges of Assize  
at *Bridgnorth* in *Shropshire*, *July*  
the 2<sup>d</sup> 1657.

By *Thomas Gilbert* Minister of the  
Gospel at *Edgmond* in that County.



LONDON,  
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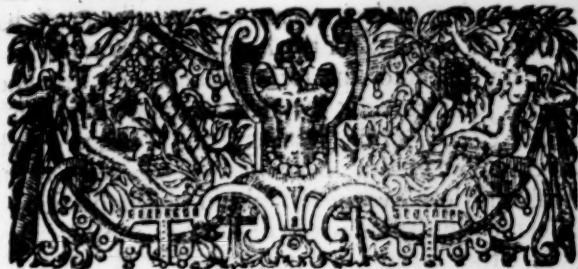
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ASSISTANT

SECRETARY

Respected Sir,  
I have the honor to acknowledge the receipt of your letter of the 11th inst.





TO  
THE RIGHT HONOURABLE  
THE  
Lord Chief Justice  
G L Y N.

*Right Honourable;*



His pains which another call'd to  
the *Pulpit*, your Honour hath  
commanded to the *Press*: I  
would hope but to a *second Im-*  
*pression* of it, the first being in  
your own and others hearts.  
Your *attention* spake your *affe-*  
*ction* to it in the *preaching*:  
your *judgement* of it (so much  
above mine own) will be *Apologie* sufficient for the  
*Printing* (in this almost as much *Printing* as *Scribbling*

A 2

age:)

## *The Epistle Dedicatory.*

age:) and your *Authority* commanding it the *Præf*, hath even therein engag'd for the *Patronage* of it printed. I promise my self also the *third Impression* in the whole course of Judicature, at the stern whereof your Honour sits *Lord Chief Justice*, hearing (and I am perswaded deservedly) *The best Book-man of the Nation*, and knownly no less *exquisitely* able in the disquisition of a *Cause*, then in the knowledg of the *Rule*: Now if your Honour either already did not, or did not still resolve with this, either Ability to answer your Trust, and make good your Style, you would not have desir'd the light of this *Sermon* also to stare you in the face.

Nor may this *Sermon* have its use onely with your Lordship in this your so *Honourable Publick Station*, but more especially in your private Christian capacity, as your *Remembrancer*, in all, often to lay your self to the line of that *Law of Liberty*, by which *Publick Judges*, as well as private Christians must be judg'd. That the Lord would follow it with his *Blessing*, both *Preach'd* and *Printed*, to some measure of *usefulness*; both to your Honour and others, is the prayer of

*Right Honourable,*

Your Honours most humble Remem-

brancer at the Throne of Grace,

THOMAS GILBERT.

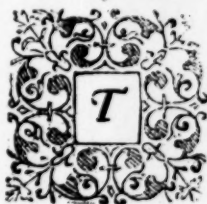




TO THE WORSHIPFULL  
EDMUND WARING Esq;

High Sheriff of the County of SALOP,  
and Captain of the County-Troop.

Truly Honour'd Sir;



*His Sermon is not become less Yours for becoming so much Anothers: Nor will that Honourable Person grudge You a part in the Dedication from whom the whole had its Rise. Its appearance in another Dress, doth no more vary the Case, than a Servants changing his cloathes changeth his Relation to his Master.*

*You have in your single Hand a two-fold POSSE both Civil and Military of this County; an Interest in it above both; and I think for your time above any Gentlemans of your Rank in any County of England. You have received all from the Supreme Lord, and must render an account of all to the Supreme Judg held forth in this Sermon. Which that you may doe with Joy, and not with Grief, when judg'd by the Law of Liberty, is the Prayer of*

Truly Honour'd Sir;

*Your Friend and Chaplain*

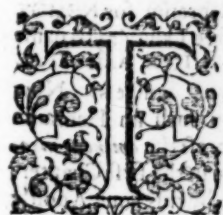
THOMAS GILBERT.





AN  
A S S I Z E  
SERMON.

JAMES II<sup>d</sup> V ER. XII<sup>th</sup>  
*So Speak Ye, and So Do, as they that shall  
be judged by the Law of Liberty.*



THE NINE first Verses of this Chapter, mine Apostle beflow's in reproving those he writeth to for, and dehorting them from their sinfull respect of Persons; and after sundry Arguments to that purpose manag'd, and an emergent Objection in the tenth and eleventh Verses, by way of Prolepsis, or Anticipation answered, he layeth in a most powerfull Argument in my Text, as especially against the fore-mentioned, so generally against all sinfull: and for *all gracious behaviour*, the most free and impartial

Coherence.

tial

tial Judgment they were to expect from God, according to *his moſt free and impartial Law.*

*So Speak Ye, and ſo Do, &c.*

Division.

In the words you have

1. A two-fold Act.

- { 1. Obedience.
- { 2. Judgment.

2. A two-fold Agent.

- { 1. Man of the Act of Obedience expreſſed, YE.
- { 2. God of the Act of Judgment implied in both the Act and Rule of Judgment.

3. Mans Act of Obedience commanded, and that in two Particulars.

{ 1. Words—*Speak.*

{ 2. Works—*Do.*—And theſe two uſ'd by a Synecdoche of ſome Specials for the whole general of Obedience; Thoughts too here to be underſtood, as Ver. 4<sup>th</sup> expreſſed.

4. As mans Obedience commanded, ſo Gods Judgment foretold, *ſhall be judged.*

5. Gods Judgment foretold in form of a Motive to mans Obedience commanded in form of an Exhortation, *So Speak, and ſo Do, as they that ſhall be judged.*

6. One and the ſame Rule both of Mans Act of Obedience, and Gods Act of Judgment, THE LAW OF LIBERTY: Which Phraſe only is of neceſſity to be explain'd.

Explication.

ΝΟΜΟΣ 'ΕΛΕΥΘΕΡΙ'ΑΣ, by a common Hebraiſm for ΝΟΜΟΣ 'ΕΛΕΥΘΕΡΟΣ the Law of freedom for the free Law; (as to name no more examples) *Eph 4.24.* ΕΝ 'ΟΞΙΟΤΗΤΙ ΤΗΣ ΑΛΗΘΕΙΑΣ for 'ΑΛΗΘΙΝΗ, Holineſs of truth, for true holineſs. Now where the Genitive of the Subſtantive, is by ſuch an Hebraiſm uſed for an Adjective of quality, it is to expreſs the eminent meaſure of the quality; and accordingly ye have in the firſt Chapter, Verſ. 25<sup>th</sup> of this Epistle, this ſame Phraſe by this ſame Apoſtle thus ſh'd up, *The perfect Law of Liberty or Freedom, for the Law of perfect Freedom, or the perfectly free Law; A Law ſo free that nothing is wanting to the freedom of it. So that here the Law of Liberty or freedom is as much as the moſt free*

free Law; moſt free from all partial by-reſpects cenſur'd in the Context. A moſt free and impartial Rule of mans Obedience, commanding Obedience, and forbidding diſobedience of one kind as well as another, to one perſon as well as another, and a moſt free and impartial Rule of Gods Judgment of all perſons whomſoever, according to whatſoever their obedience or diſobedience. This Interpretation however Commentators vary, the Phraſe it ſelf, ſcope, and context, the beſt Rule of expounding neceſſarily beſpeak.

So that now the whole amounts to thus much: *Be you ſure in your Obedience to conform to the Impartial Law of God; For God will be ſure to conform to it in his judgment of you.* A brief Para-  
phraſe.

And paſſing the ſeveral Obſervations the ſeverals of this Text would turniſh out; The Doctrine that taketh in the main ſtrength of the whole, and therefore deſerveth to be inſiſted on, is this:

*The ſame Law of God is the Rule of Mans obedience, and of Gods Judgment.* Doctrine.

This I ſhall firſt prove by Scripture, and then answer ſome Queres for the better clearing of it.

For Scripture-proof take one out of the Old Teſtament.

*Iſaiah 33. 22. The Lord is our Judge: the Lord is our Law-giver.* As Judge he obſerves the ſame Law for the Rule of his judgment, which as Lawgiver he appoints the Rule of mans obedience. Confirmation.

Out of the New Teſtament two or three Proofs.

*Joh. 12. 48. The Word that I have ſpoken, viz. as a Rule of obedience now, THE SAME ſhall judge him, viz. as a Rule of Judgment at the laſt day.*

*Rom. 2. 16. In that day when God ſhall judge the ſecrets of men by Jeſus Chriſt, according to my Goſpel.* God who delegates Chriſt the Judge, appoints the Rule of Judgment, the ſame as of mans Obedience *Pauls Goſpel*; Not any fifth Goſpel written by *Paul* as ſome of the Papiſts fondly imagine; nor yet the Goſpel written by *St. Luke* ſic: *Pauls Amanuenſis*; But the Goſpel, ſaith *Auſtin* <sup>2</sup>, contain'd *Propheticis & Apoſtolicis Libriis*, in <sup>2</sup> *Aug. lib. 20. de civ. Dei cap.* the Books of the Apoſtles and Prophets; called *PAULS*, be-  
cauſe he is the Preacher of it, by much better right then I <sup>24</sup>.

B

call

call *JAMES MINE APOSTLE*, when Preaching upon a Text of his Epistle.

Rev. 20. 12. The last Proof I shall offer, ye have a solemn representation made to *John* by Vision of the last general Asize, the Throne set, Books open'd, and dead judg'd. <sup>b</sup> *Origen* and <sup>c</sup> *Ambrose* interpret the Books there said to be open'd, the Books of mens Conscience, and Gods omniscience. <sup>d</sup> *Auslin* and our old Countrey-man *Bede*, the Books of the Old and New Testament. Why may not these Antients divide the truth between them? When it's said the Books were opened, I conceive both may be taken in. When it's said the dead were judged out of those things which were written in the Books according their works, I conceive both must be taken in, *Origens* Books, the Books of mens conscience, and Gods omniscience, as Records of Fact; *Auslins* Books, the Books of the Old and New Testament, as Records of Law; That in these (as *Auslin* saies) might be seen what Laws God hath commanded to be observed in those. Not as *Auslin* in that of life, how men had, or had not observed them.

<sup>a</sup> *Orig* cap. 14.

<sup>a</sup> *d Rom.*

<sup>c</sup> *Ambr.* in

*Psal* 1

<sup>d</sup> *Ausl.* ubi supra & *Hom.* 17. in *Apos.* prope med.

The Point thus proved, I shall now in the second place make some Queres for the better learning of the Doctrine.

#### Q U E R R E I.

Amplification.

Quere I.

How the same Law of God is the Rule of mans Obedience, and Gods Judgment.

*Ans.*

*Ans.* The same Law in different respects. The Rule of Mans Obedience, } in the { Precepts and Prohibitions;  
Gods Judgment, } Promises and Threatnings.

1. The Law of God is the Rule of mans Obedience in the Precepts, and Prohibitions: For, as where no Law is, there is no Transgression: no sins of Commission, where no Negative Laws or Prohibitions; No sinnes of Omision, where no Affirmative Laws or Precepts: So where no Law is, there's no Obedience neither; Man might, and must have been subject to God, as supreme Lord without any Laws; He could not without Laws be obedient to God, as Rector.

2. The Law of God is the Rule of Gods Judgment in the Promises and Threatnings, annexed to the Precepts and Prohibitions: For as the Precepts and Prohibitions determine mans duty,

duty, and sinne, what shall be his duty, and what his sinne; so the annexed Promises and Threatnings, determin Gods Rewards and Punishments; The Promises, what shall be Gods reward of mans duty. the Threatnings, what shall be mans demerit of Gods punishment for his sin. So that had no Promise been annexed to the Precepts and Prohibitions, man obeying both, had indeed been capable of reward, but God is not bound to conferre it: and had no Threatning been annexed to the Precepts and Prohibitions, man disobeying both had indeed been capable of Punishment, but not bound to suffer it, much less God to inflict it: For the very Threatning annexed in the mee nature of a Threatning, if it be not a denunciation also, binds not God to inflict, but man only to suffer if God inflict. I have been the more brief in this first *Quere*, because to be more large in the second.

QUERE II.

*What Law of God it is that is the Rule of mans Obedience and Gods Judgment?*

*Ans.* Not one and the same Law to all, but different according to the different state and condition of the persons to be ruled and judged by it; yet so, that the same persons have still the same Law, the Rule of their Obedience, and Gods Judgment.

Now there's a three-fold different state and condition of persons to be rul'd and judged by the *Law of God*: Some

1. Who never had Christ, or not sufficiently discovered and proposed to them.
2. Who having had Christ sufficiently proposed to them, have not by *saving Faith* received and clos'd with him.
3. Who having had Christ sufficiently proposed to them, have by *saving Faith* received, and clos'd with him.

1. That Law of God, which is the Rule of their obedience to God, and Gods judging of them, who never had Christ, or not sufficiently discovered and proposed to them as the *Law of nature*, under the formality of a *Covenant of works* written in their hearts, if Gentiles, or in Tables also, if Jews.

B 2

None

Quere II.

*Ans.*

None of these, whether Jews or Gentiles, are required Obedience according to the Law of Gospel-Faith never published among them; neither shall they be saved by that Gospel-Faith they never had in them, nor be condemn'd for want of that Gospel-Faith, never required of them in a Mediatour, never, or not sufficiently held forth to them. For *Credibile sufficienter propositum ad fidem obligat*: Now Christ is only sufficiently proposed, where himself the end for which, and Termes, on which he is proposed are sufficiently made known: Where this is not done, there's no obligation of duty to Believe, and therefore, There can be no obligation of guilt for *not so believing*. So that here the Gospel can neither be the rule of mans Obedience, nor of Gods Judgment. But

1. If they be Gentiles, in this condition, their obedience or disobedience shall be scan'd according to the Law of nature written in their hearts, (and this Law of nature written in mens hearts being as capable of sanction by Promises and Threats, as written in *Tables*) judgment accordingly pass'd on them. See both these *Rom. 2. v. 14.* this Law their rule of obedience: *These having not the Law, are a Law unto themselves.* Ver. 12. this Law Gods Rule of Judgment; *They shall perish without Law*; Gods judgment of all such, a judgment of condemnation for their disobedience to the Law. For though some of them may do (as the Apostle saith) *T A' T O' T N O' M O' T*, the things contained in the Law, he meaneth but some things; And of those *some things* for the matter, which they do, contain'd in the Law; they do nothing for the manner and measure of doing required by the Law. Now *Dent. 6. 25.* it shall be our righteousness if we observe to do all these Commandements before the Lord of God, As he hath commanded us; not only All, commanded for matter, but As commanded for manner or measure, or no *Legall Righteousness*.

Object.

And if it be here Objected, *That the same essentials of the moral creature, (according to that of the Apostle) are a Law unto themselves,* are at once mans both Rule and Principle of obedience, and therefore, The one cannot be more perfect, or imperfect than the other; and an imperfect principle may come up to perfect obedience to a Rule equally imperfect with it self, and



and ſo Gods Judgment muſt be according :

Not to diſpute the *Suppoſitum*.

*Answer* 1. The condition of the Law of nature, as it hath the Super-added formality of a Covenant of Works is ſuch, that being once broken it can never be performed by him that breaks it. The ſouls of juſt men made perfect, could not continue a *moment in Heaven*, in the right of their own perfect inherent righteouſneſs ; it being the righteouſneſs of perſons who had ſin'd.

*Anſw.* 1.

2. That the *essentials* of the moral creature, Man, if they have the capacity of a Law to be obeyed, as well as of a principle to obey ; yet in the capacity of a Law, they are a neceſſary Law, ſo requiring, that they cannot but require obedience ; But in the capacity of a Principle they are a free principle, ſo able to yeeld, that they may not yeeld obedience : And, (which is more) never did any fallen man do what he was able by his *essentials*, as a Principle of obedience to the ſame *essentials* as a Law.

2.

3. That man at firſt had not only natural principle enabling him to do the things for the matter contain'd in the Law, but a ſupernatural Principle alſo enabling to the manner of doing required by the Law ; That by his fall his naturals were indeed but corrupted, and that perhaps equally, both as a Law requiring of, and Principle enabling to the things to be done for the matter ; But his ſupernaturals enabling to the gracious manner of doing were wholly loſt.

3.

4. That man hath indeed by ſinne, as much blur'd, and blotted, rent, and razed his counterpart of the Law, and Covenant of works, as he hath vitiated, and weakened his natural Principle ; But God hath kept his counterpart of the ſame Law pure, and entire. Now Gods procedure in judgment will not be according to Heathen menſ rent, and razed, but his own pure and perfect counterpart of that Law ; as a Landlord will deal with a Tenant in the like caſe of a *Leaſe*.

So that the Infidel Heathen, as he ſinnes without, ſhall alſo be judged by God to periſh without Law *i. e.* doth not in ſinning, ſhall not in judging come under the aggravation

4.

of the Jews ſinne againſt, or judgment by the Law written in Tables, no more then of the unbelieving Chriſtians ſin againſt, or judgment by the *Gospel*; But ſhall be judged by, as he ſinnes againſt the Law written in his heart, and not only as in his heart corrupted and defaced, but as in the *uncorrupt* counterpart, the great Judg keepeth by him.

2. Whereof more briefly, if they be Jews in the forementioned condition (as 'tis conceiv'd many of thoſe people eſpecially ſince the *diſperſion* are) their obedience, or diſobedience ſhall be meaſur'd according to the line, and rule of the Law written in Tables, and Gods proceeding in Judgment with them accordingly. *Rom 2.12. As many as have ſinned in the Law, ſhall be judged by the Law*, 'tis clearly ſpoken of the Jew; As many as have ſin'd 'EN NO'MU in the Law, commonly interpreted by NO'MON 'EX ONTEΣ having the Law: But I conceive there's more, much more in the expreſſion then ſo: 'EN NO'MU. *In the Law*, means in the miſt of ſo much Law, in the face and light of ſo pure and clear Law: As many as have thus ſin'd in the Law ſhall be accordingly judged by the Law, ſo much more ſeverely, then the Infidel Heathen, as they have ſin'd more hainouſly againſt a perfect *Transcript* by the hand of that perfect counterpart in the hand of the great Law-giver himſelf, never purchaſed to the Infidel Heathen: *Rom. 2.9. Tribulation and anguiſh upon every ſoul that doth evil, of the Jew firſt, and alſo of the Gentile.*

2. Thoſe who have had Chriſt, whether Jews, or carnal Chriſtians, ſufficiently propoſed to them, but never by *ſaving Faith* cloſed with him, have both Law and *Gospel* the rule of their obedience, and ſhall have of Gods Judgment.

They have

1. Both the Law, and *Gospel* the Rule of their obedience.

1. The Law and Covenant of Works, becauſe they are under it; under it as the Law of nature, as men, that, binding all whether in, or out of Chriſt to its obedience; under it as the the Covenant of Works, as men out of Chriſt, there being but two Covenants of Works, and grace between God and man, and every man under one of them, if not that of grace, the other of works: For, neither could mans firſt diſobedience,

nor

nor succeeding disability thereupon baffle the rigorous demands of it's Precepts.

2. The Gospel also is to such a rule of obedience requiring them to come under its new *Positives* of Faith and Repentance. *Mar. 16. 15 Preach the Gospel to every creature. 1. 15. Repent and believe the Gospel.* Whatsoever the Law speaketh, it speaks to them that are under the Law, but the Gospel speaks to men that yet are not under, to come under it, and it's their great sin that they do not obey.

2. Such shall have both Law, and Gospel Gods rule of Judging them.

1. The Law and Covenant of Works, because broken by them, *Gal. 3. 10. Cursed is every one that continueth not in all things which are written in the Book of the Law to do them.* For, if by disobeying the Precept, they did not void the powers of the Precept, much less of the *Threatning*. Nay, they could no otherwise forfeit the Promise, and incur the Threatning than by disobeying the Precept.

2. The Gospel and Law of Faith, because they finally reject it: Now 'tis more hainous finally to dis-believe the Gospel, then first to disobey the Law: And this aggravates as their sin against the Gospel as the rule of their obedience, so also the wrath of the Gospel against them, as the Rule of Gods Judgment.

John } 13. 22.  
3. 18, 19.

3. Those who have had Christ sufficiently proposed to them, and by saving Faith closed with him, have both the Gospel, and Law of nature, or moral Law the rule of their obedience to God, and shall have both Gods rule of judging of them.

1. They have them the Rule of their obedience unto God.

1. The Gospel requiring of them *perseverance* in obedience to it's *Positives*. *Be thou faithfull unto death, Rev. 2. 10.* For as faith is required to the getting, so perseverance in Faith to the keeping of a Gospel Title.

2. The moral Law or Law of nature requiring Perseverance, and improvement in obedience to its morals. *1 Cor. 15. ult.*

*Alwaies*

*Alwaies abounding in the Work of the Lord.* And this their obedience not, to God as Creatour only, but as Redeemer also: Not as it self the condition of the Covenant of Works, but as fruit, and evidence of the condition of the Covenant of Grace. Gospel Faith, and the way to the poss. sion of that Inheritance Gospel Faith entitles to.

2. Such shall have both these the rule of Gods Judging them.

1. The Gospel in the Promise of life annexed to its Possitive of believing.

For such is both the wisdom and mercy of God, that that life man forfeited by transgressing a Legal Positive *eating the forbidden fruit*; he should recover by observing a Gospel-Positive Faith in a Mediatour. Faith in God is of the Law Moral; Faith in a Mediatour a Gospel-Positive; Now to this Gospel-Positive is annexed the Promise of eternal life. *Act. 13. 39.—16. 31, &c.* And from this Gospel-Promise of life annexed to this Gospel-Precept of Faith in a Mediatour, hath faith the nature and notion of a Title, and will accordingly be so judged by God. In relation to the Precept it hath the nature of obedience, in relation to the Promise the nature of a Title. There is indeed in the nature of Faith, as a receiving Grace a peculiar aptitude above other Graces to become a Title, but that it actually becomes such is from the constitution, and ordination of God by his Gospel-Promise.

As the Rain-bow had its peculiar aptitude by nature above all other Meteors to become the Sign of that Covenant God made with *Noah*, no more to destroy the World by Water; that Bow being alwaies placed by the Pencil of the Sun beames in so thin a dewy Cloude from which no great Rain can ensue; but that it should be a sign of no universal deluge ever after to ensue from the collection of any other Clouds was meerly by Divine Institution.

So Faith of its own nature as a receiving grace had a special aptness above all other graces to become the condition of the Covenant of Grace; But that it actually became such, the condition of the Covenant of Grace, and title to the Grace of the Covenant, was meerly by the free Constitution of God. And his Judiciary Sentence will be according to his Gospel-Constitution.

2. And

2. And as God will judg here according to his Promise, annexed to his Positive-Precept of the Gospel for Faith in a Mediatour; so will he judg here too according to his Promise, annexed to his moral Precepts of the Law for obedience, as fruit and evidence of that Faith, *Rom. 8. 1. Mat. 25. 34, 35. &c.*

In the former place non-condemnation, and consequently salvation is made the priviledge both of those that are in Christ by Gospel-Faith, and those that walk after the Spirit, but principally of a state in Christ by Gospel-Faith, of walking after the Spirit as *Characteristical* and signative of that state and condition.

In the latter place you have the Sentence passed accordingly: *Come ye blessed of my Father.* There's their *Adoption* and Sonship by Christ, with the blessedness of that state: *Receive the Kingdom:* There's the Inheritance adjudged to them. *For ye have done, so,* and so - that ( *For* ) not inferential of the moral meritoriousness of their works of mercy to Christ and his Members, but of their own Membership by faith evidenced by their works of mercy to their fellow-Members.

Thus largely, too largely I feare for the Straitness of time though not for the weight of the things, of the second *Quere.*

A third Quere should have been

*What manner of Rule of mans Obedience, and Gods Judgment the Law of God is?*

And for Answer I should have shewed that 'tis

1. An obliging Rule, for that's the nature of a Law, *Regula Obligans*, I think as just a definition of *Lex* as most given.

1. An obliging Rule in respect of mans obedience; As a Rule 'tis an Act of the Divine understanding *shewing* man in what way he may walk as his convenience, *Regula indicat*, as an obliging Rule or Law, 'tis an act of the Divine will requiring man to walk in that way as his duty, *Lex imperat*. See both these in that one Scripture, *Mich. 6. 8. He hath Shewed thee, oh man, what is good:* There's the Proper Act of the Law of God simply

as a Rule; *And what doth the Lord Require of thee, &c.* There's the proper Act of the Law of God as an obliging Rule.

2. An obliging Rule in respect of Gods Judgment, and there proportionably as a Rule it shews what rewards God may apportion to mans obedience, or punishments to mans disobedience. As an obliging Rule or Law it's obliging upon God to conferre such rewards upon mans obedience, and obliging, not upon God to inflict, but upon man to undergo such punishments upon his disobedience, if God inflict them on him.

2. The first obliging Rule: As the will of God exerting or putting forth his natural power or strength, is in natural things the first efficient cause; So the will of God exerting, or putting forth his moral power or authority, is in moral things the first obliging Rule: and as all things in nature act dependingly upon the Will of God, putting forth his natural power as the first efficient cause: so in morality all Laws oblige dependingly upon the Will of God putting forth his moral power as the first obliging Rule, whether in point of obedience or judgment. This, such Judges and Pleaders of Law, as are Makers of Law too among us, have special reason to take notice of. Therefore for the excellently both full and clear handling of this Point and many singular Corollaries drawn down from it, I shall referre them to *Petr. de Alliaco* the Learned Cardinal of *Cambray* in *Princ. in Prim. Sentent. in quæst. determin. in vesp. ad calcem. 4<sup>ta</sup> Sentent.*

3. A Rule obliging in the first place to obedience, and in the second to Judgment. First, obliging man to obedience, and secondly either upon his performance obliging God to conferre the rewards promised, or upon his non-performance obliging man to suffer (if God inflict) the Punishments threatened. This clear, as in the nature of the things, so in the order of the Words in the Text; *So Speak Ye, and so Do, as they that shall be judged.*

4. A most freely and impartially obliging Rule both in point of obedience and Judgment. This too in the Text: *The Law of Liberty*, and that in the Explication sufficiently cleared, and we have not time, *utrum agere.*

These

These Reasons alſo of the Point had been given, would the time have permitted.

1. That there might be nothing of encouragement wanting to obedience, or of diſcouragement to diſobedience, God would have the Promiſes and Threatnings as clear in the ſame Law as a Rule of Judgment; As the Precepts and Prohibitions are in it, as a Rule of obedience, that man might obey having reſpect unto the recompence of the Reward; and perſwaded by the terrors of the Lord beware of diſobedience.

2. That there might remain nothing of pretext or excuſe to thoſe who walking not according to the Precepts and Prohibitions of the Law of God as a Rule of obedience ſhall be ſentenced according to the Promiſes and Threatnings of it as a Rule of Judgment to loſe the Rewards promiſed, and incur the Punishments threatned. They cannot ſay, if we had known, our diſobedience ſhould have been ſo ſadly attended with the depriving of ſo great rewards, and inflicting of ſo great puniſhments, we would have obeyed, when the Promiſes and threatnings are as clear in the ſame Law of God as the Precepts and Prohibitions.

3. Becauſe, as man cannot obey or diſobey God but in relation to a Law; ſo neither can God judg man, obeying, or diſobeying, but in relation to a Law. As man (as before you heard) might have been ſubject to God as ſupreme Lord, not obedient to him as Rectour without Law, ſo proportionably God as ſupreme Lord could have diſpoſed of; He could not as Rectour judg man without Law, nor judg him according to any other Law, than what's the Rule of his obedience: For, this would be no more judiciary then, but as much arbitrary as the other.

The Point now ſufficiently clear'd and confirm'd, I come at length to

*Uſe and Application.*

1. To all in general.

1. Information.

1. *The Power of God is the ſupreme Power of the World.*  
As Legislation making of Laws to determine the civil obedience,

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1. Information.

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and disobedience, rewards and punishments of all the people in a Nation, is an act of the supreme Power (wheresoever it reside) of the Nation: so to make Laws to determine the spiritual obedience, and disobedience, and the temporal, spiritual, and eternal rewards and punishments of all the people in the world, must needs be an act of the supreme Power of the world.

2. *2. How far the Majesty of Heaven is from affecting the exercise of an Arbitrary power.* The great Potentates of the earth have it not, and would usurpe it. The great, and only Potentate of Heaven and Earth hath it, and will not use it, except in case of extraordinary concernment to his own glory, and his Subjects good, and then as little, and with as speedy return as may be to methode, or course of Law again, as in the case of bringing in the New Covenant by Christ. According to his absolute Power and Dominion he might (had he pleased) have disposed of, as he pleased his whole moral Creature; all man-kind to their last end of weale or woe, meerly as Lord without any Law; but he was pleased to become Law-giver, and according to his Laws given, will dispose of them to their last end as *Reformer*.
3. *3. God will never judge the best work; of meer men meritorious:* God judgeth according to the nature of the things to be judged, and according to his own Word the Rule of Judgment. That good works merit of their own nature, not many at this day of the Papists will affirm; and as such (as you heard in the Doctrine) they are only capable of, do not merit a reward. That they merit by any Ordination of God in his Word, *all the Papists together*, will never be able to prove. He hath indeed Ordained that the least good work, even a cup of cold water to a Disciple, shall have a reward: not that the greatest, even *fire and faggots* for the Master Christ himself, should merit a reward. He hath Ordained Christ should merit; they should have, not deserve a reward.
4. *4. In evil works, sinne and guilt differ.* As the former noted against the Papist, so this against the *Antinomian*, who will have sinne and guilt to be one and the same thing, and tells us we can



can never have found peace, till we ſee the filth and power, as well as the guilt of ſinne, charged upon Chriſt: But the difference between them I make out from the Doctrine thus:

1. They have relation to the Law under different Conſiderations; Sinne as the rule of obedience, guilt as the rule of Judgment
2. They have relation to different parts of the Law; Sin to the Precepts, and Prohibitions, as a rule of obedience; guilt to the Threatnings as a rule of Judgment.
3. They have different kinds of Relation to the different parts of the Law under thoſe different Conſiderations; Sinne, a relation of deformity to the Precepts and Prohibitions, whereto it is contrary as a Rule of Obedience to the Precept (if a ſinne of omiſſion,) to the Prohibition (if of commiſſion.) Guilt a relation of conformity, to the Threatning whereto it's agreeable, as a rule of Judgment: For 'tis agreeable to the Threatning that ſinne ſhould deſerve death in all, bind over unto death in all out of Chriſt; Now Divines make that deſert of *puniſhment* the habitual, as this obligation unto it, the actual guilt of ſinne.—So much for Information. I come now to

2. Several ſorts of Inference according to the ſeveral conditions of people mentioned in the *Doctrine*. And

1. *It calls for pity and Prayer for thoſe whether Gentiles, or Jews that never had Chriſt, or not ſufficiently propoſed to them.* There being none other name under Heaven given amongſt men, whereby they muſt be ſaved, neither is there ſalvation in any other, Act 4 12.

That if Gentiles, God would make Chriſt a Light, yet further to enlighten them: That the people which ſit in darkneſs, and ſee no light, may have this great light ſhining unto them, that the fulneſs of the Gentiles may be ſo brought in.

That if Jews, God that firſt perſwaded *Japhet* to dwell in the Tents of *Sem*, would now ſperſwade *Sem* to dwell in the Tents of *Japhet*, that the Children of *Iſrael* may return and ſeek the Lord their God, and *David* (the Sonne of *David*)

their King in theſe letter daies; Look unto him, whom they have pierced, and mourn, that his blood be no longer upon them, and their Children, only, in the guilt of it; but for the pardoning of the guilt of that blood ſhed, and all other their finnes. This ſhould we ſay for our *Elder Siſter*, which hath no Breasts in the day ſhe is to be ſpoken for; that the Scatterings of the Jews may be recollected and grafted in again.

That whether Gentiles, or Jews, they may not have the Law, and Covenant of Works Gods Rule of Judging of them, with a Judgment of condemnation, but the Goſpel, and Covenant of Grace, his Rule of judging them with the Judgment of Abſolution and Salvation.

2.

2. *It ſhould ſpeak terror to thoſe amongſt us that Will not obey the Goſpel-Positive of Faith enjoyned them, but will reject Chriſt in the Goſpel ſufficiently propoſed to them.*

1. They ſhall be judged with the Infidel Heathen for tranſgreſſing the Law of Works, written in their hearts, have the way to the Tree of Life armed againſt them with a flaming Sword in the hand of an Angel waving this way, and that way.
2. Above theſe, with the unbelieving Jew for tranſgreſſing the Law written in Tables; have that Law executed upon them with more of *thunder*, and *lightning*, and *blackneſs*, and *darkneſs*, and *tempeſt*, than it was promulgate and publiſh't with: For if ſo terrible were the promulgation, that *Moses* himſelf, who was out of the reach and Gun-shot of the curſe of this Law, exceedingly feared, and quaked, how much more diſmall, and dreadful muſt be the execution of it upon thoſe ſouls that fall under it?
3. Above both theſe, with that wrath peculiar to them for rejecting Chriſt ſo ſufficiently, ſo much, and often, plainly, and powerfully propoſed to, and preſſed upon them in the *Preaching of the Goſpel*. *Heb. 2. 2, 3—12. 25.* Wrath ſo great, that to deſcribe it, *Peter* is put to the like artifice, as the Painter, who being to draw ſo mournfull a face, as his Art could not reach to the exact

exact limning of, drew a shadow before it, giving leave to mens fancies to help out, and supply, where his Art was defective, and came short: So the Apostle, 1 Pet. 4. 17. draws (as 'twere) the Curtain of this interogation, (*What shall be the end of them that obey not the Gospel of God?*) before the hideous and deformed face of hell, giving men leave to lose themselves (as himself seems to be lost) in the consideration of the thick darkness of it. For as the love of God, Eph. 3. 19. so his wrath too, passeth knowledg. *As neither eye hath seen, nor ear heard, neither have entred into the heart of* 4 Cor. 2. 9. *man, the good things which God hath prepar'd for them that love him*; None can conceive Heaven so heavenly, as indeed they will find it, who shall be received into those glorious Mansions: So neither hath eye seen, nor ear heard, neither have entred into the heart of man the evil things, which God hath prepar'd for those that do not love him, and obey his Gospel: None can conceive Hell so hellish, as indeed they will find it, when thrust into that utter darkness.

Now if the Lord should by this thunder-clap please to awaken any among us out of their carnal security, after Christ, and Faith, let them take this one (since the time will give leave but for one) special Direction:

Let them attend upon a Gospel-Ministry, be much in hearing and meditating upon Gospel-Promises; Such must not think to bring faith to, but suck it from a Promise: The same Gospel-Promise that conveyes from God the nature of a Title to Faith, conveyes also the grace of Faith unto men: *That* (saith the Apostle, Rom. 10. 8. *is the Word of Faith, which we preach*: not only as the object of Faith about which it is conversant, or Precept of Faith by which it is commanded, but also the Instrumental-means of Faith by which it is conveyed.

3. And lastly, *It speaks to those that by Gospel-Faith have closed with Christ*:

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First, It

1. First, It speaks comfort to such: Your Faith though in relation to the Precept as a rule of duty, a legally imperfect obedience, is in relation to the Promise as a rule of Judgment, *a Gospel perfect Title*, your perfect Title to the righteousness of Christ; your perfect Title to Heaven and Glory. *There is no condemnation to you being in him*, Rom. 8. 1. Shall be none to you, *believing on him*, Joh 5. 24. He had nothing of his own to be condemned for; nothing of his own to be acquitted from; He was condemned to pay your debt, as your surety, and therefore you cannot be condemned too. He was acquitted from it, being paid as your *Surety*, and therefore you cannot but be acquitted too. He appear'd the first time with your sinne to his condemnation; He shall appear the second time without your sinne unto your salvation, *Heb. 9. 28.* When he shall be revealed in flaming fire taking vengeance on them that know not God, and that obey not the Gospel of our Lord Jesus Christ, He shall come to be glorified in his Saints, and to be admired in all you that *Believe*, *2 Thes. 1. 8, 10.* When others trembling, and confounded shall hear, *Depart ye cursed into everlasting fire, prepared for the Devil and his Angels*, according to the Threatning; you rejoycing, and exceeding glad shall hear, *Come ye blessed of my Father, inherit the Kingdom prepared for you from the foundation of the world*, according to Promise.

2. Secondly, It bespeaks obedience from such: Too too many that pretend highest to Faith, and Christ, do not *so Speak*, and *so Do*; but carry it, as if they had one Law for the Rule of their obedience, and expected another for the Rule of Gods Judgment; nay, so divide in their obedience, as if they had one Law to speak, and an other to do by, one Rule of *Talking*, and another Rule of *Walking*, *talk* of the light of grace, but *walk* below the light of nature; *Speak* according to the Gospel the Law of Faith, but *do* after their own hearts lust. Do you *so Speak*, and *so Do*, and so think you ought, *So to Speak, and so to Do, as those that shall be Judged*, &c. Think not that Christ hath redeem'd you from the *guilt* of your sinnes, that ye should wallow in the filth, and serve in the power of your sinnes: Think not that those sins should

should be with you upon the *Throne*, that were with *Christ* upon the *Cross*; That those sins should be matter of carnal and sensual pleasure, and satisfaction to you, that were of so much *Soul-trouble* and *sorrow* unto *Jesus Christ*, when but imputed to him; when really inherent in your *Souls*. Think, ye ought no longer study how to gratifie, and how to satisfie, but how to *mortifie*, and how to *crucifie* them. Think nothing less then the very death of those sinnes ought to satisfie you, which nothing less would *satisfie*, and *satisfie* for, than the precious death of the Lord *Jesus Christ*. Think, and know that same God, by that same Law whereby he hath requir'd your faith, hath requir'd your obedience, as fruit and evidence of your faith; that you should justifie that faith by your works, which justifieth you without your works: That being by faith Heirs of the Kingdom, ye ought by obedience to *walk as Heirs*, and towards the *Possession* of it. Here are many can tell you ye must go a right way to take *Possession* according to a right Title. *So Speak ye, &c.* Walk every way worthy your freedom from the threatned Penalties, and your title to the promised rewards of this Law.

I had prepar'd nothing for my *Brethren of the Ministry*, conceiving none would have been present on this preparation day to the Sabbath; But seeing, beyond expectation, the faces of so very many here, I shall by Gods assistance adventure a word to them also.

If it be so, that the same Law of God is the rule of mans obedience and Gods Judgment, *Let Ministers preach it as such*.—Some on the one hand, preach the Law of God as the Rule of mans obedience, too little, and too much as the rule of Gods Judgment. And even here some the promised rewards of it, the blis, and happines of Heaven, and glory too much, and the threatned punishments of it the misery, and wretchedness of death and hell too little: Others the punishments threatned too much, and the rewards promised too little. Some on the other hand preach the Law of God too little as the rule of Gods Judgment, and too much as the rule of mans obedience: And here some *Moral Precepts* too much, and Gospel-Positives too little, and thereupon *bear legall*

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*Preachers:*

*Preachers*; Others moral-Precepts too little, and Gospel-Positives too much, and thereupon hear *Antinomian Preachers*. Satan hath two great designs afoot at this day; The one to dash in pieces *Moral-Precepts* against Gospel-Positives, and this he is carrying on by the *Antinomian*; The other to dash in pieces Gospel-Positives against *Moral-Precepts*, and this he is carrying on by the *Papist* and *Socinian*. The Ministers of the Gospel must set themselves to Counterwork Satan in both these designs. And this shall we do if we preach the Law of God, as the Rule of mans obedience and Gods judgment in their due measure, one as well as another, and in their sweet agreement one with another, and especially if we take heed to square our own lives accordingly. So to Speak, and so to do.

*Special Application to the special Occasion:*

Let it be so with the gods on Earth too: Let the same Law of man be the Rule of mens Civil Obedience, and the Civil Magistrates Judgment. Let not men be required obedience according to Law, and proceeded with in Judgment according to will and pleasure, besides, and against Law. *Deut. 16. 19. Thou shalt not wrest Judgment.* The word in the Original rendred *wrest*, is sometimes used in a general sense for *retching* or *stretching* of a thing into another posture then it was in. *Josh 8. 26. Joshuah drew not his hand back* אִשָּׁר הִנְיָר where-with he stretched, or which he stretched out with the spear: And so it signifies not only the *wrenching* or *wresting* of a straight thing to make it crooked, but of a crooked thing also to make it straight. And this general sense hath it's special application to *Judges* respectively, whether of Law or Fact: Of Law thus: Let them not in Judgment make the Law a *Lesbian Rule*, *wrest*, or *crook* the straight Rule of the Law, so give countenance to crooked, or discountenance to straight matters of Fact: For this would be their *wresting* of Judgment, *wresting* of the Law their Rule of Judgment. For *Judges* of Fact thus: Let not them strengthen crooked matters of Fact to receive countenance, or crook straight matters of Fact to receive discountenance from the straight Rule of the Law: For this is their *wresting* of Judgment.

Sometimes

Someti mes the Word is taken in special sense, for *bending* or *bowing* of straight thing to make it crooked, as *Gen. 49. 13.* *וַיִּשְׁכָּם* He bowed his shoulder. And more especially, *Ezek. 7. 10* where *הַכִּיכָה* a word of the same Original rendred by our Translators, *The Rod*: *Schyndler* renders *Inclinans*, and interprets *Detorquens, pervertens Rectum*, the wrester or perverter of that which is right flourishd; An interpretation much countenanced by that which follows, *Ver. 11. Violence is risen up לַכֹּסֶף* into a rod of wickedness. And in this special sense hath its general application to *Judges* both of Law and Fact: Let neither the one, nor the other, call evil good, or good evil, a distorted or crooked, straight, or straight crooked: For that's no less a crooked Judgment, that judgeth crooked straight, than that which judgeth straight crooked: because no less contrary to the Law the right Rule, which as it discovers straight or crooked, right or wrong matter of Fact as a Rule of obedience, so as a Rule of Judgment it discovers straight or crooked, right or wrong Judgment. For, *Rectum est in-aequum sui & obliquum.*

Nor is their Judgment thus wrested only, if they judg straight crookd, or crooked straight, but also (though in less measure) if they judg streight less streight; or crooked less crooked then evidence of Law, and fact discover it to be. This being contrary to the Law as the Rule of Judgment for measure and degree, as the other for nature and kinds: And therefore it follows *Verf. 20. That which is altogether just shalt thou Do.* In the Original *Justice, Justice*: Justice for measure and degree, as well as kind and nature.

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For *MOTIVES* to this *DUTY*.

Consider

*Motiv.*

1. *Your Office*—A Judge is to be the Soul of the Law; and therefore heard among the *Romanes*, *Jus Animatum, animated Right*, and among the *Grecians*, *Νόμος ὁ ζῶν* & *Living Law*. Gods own Law, is but a dead Rule without Gods enlivening of it: Much more are mens Laws, without these earthly Gods quickning of them. Some talk much of one

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other Law to be made for execution of all the reſt. But who then ſhall look to the execution of that? Execution is indeed the life of the Law, but the Judge muſt be the ſoul to impart it; and that according to the mind of the Law, otherwiſe he doth not execute Law, but Luſt, not quicken, but kill it, is the Executioner of the Law, as the *Hangman of the Thief*. Good Laws are the foundations of a Nation, as many interpret thoſe places, *Pſal.* 11.3.—82.5. Good Judges are the *Corner-ſtones* in thoſe foundations, as moſt interpret that place *Zech.* 10.4. Now the *Corner-ſtone* doth not undermine and weaken, but ſtabliſh and ſtrengthen the foundation; doth not as thoſe corrupt Judges, *Pſal.* 82. Put theſe foundations out of, but into courſe, keeps them upon their legs, and makes them run alſo: *Curra Lex*.

2. 2. *Your Dialect.* You ſtile your *Orders of Court-Rules*: I ſuppoſe not only nor ſo much becauſe *Regula Regulantes*, Rules ruling of men, as becauſe *Regula Regulata*, Rules ruled by Law; as in the like *Phraſeology* you call judged Caſes *Ruled Caſes*; one would think in imitation of God, who ſtiles his Laws *Judgments*, becauſe *Rules of his Judgment*. Now remember the Text: *So Speak Ye, and ſo Do*. Let your *Deeds* answer your *Dialect*.

3. 3. *What God hath done for our Laws*. Men have thruſt fore at them that they might fall, but God hath holden them up, made them know a *Protector* in more ſenſes than one, own His Highneſs not only a *Protector* of the People, but of themſelves, the Laws too. A *Protector* of the People of the Land, according to the *Laws of the Land*. God hath by Him delivered them from a ſtorm, a very *Whirlwind* of giddy men. Let not our Judges ſuffer them to lay becalmed, and wind-bound for want of *Due Execution*.

The fourth and fifth *Aſſize* I ſhall offer out of *Aſſ.* 23.  
3. God ſhall ſmite thee thou whited wall: For ſitteſt thou to judge me after the Law, and commandeſt me to be ſmitten contrary to the Law?

4. 'Tis arch-hypocriſie to do otherwiſe.—Thou whited-wall, &c. The *Periphrasis* and *Circumlocution* of an Hypocrite, as you will ſee, if you compare it with the like Expreſſions,  
*Ezek.*



*Ezek 13.10. Mat. 23.37. And Seneca, as if he had commented upon the words; Miseri sunt, Sordidi, Turpes, & ad Similitudinem Parietum suorum extrinsecus culti.* As to pretend to carry all in Sacred affaires according to the Law of God, and do the contrary is *Church-hypocrisie*; so to pretend to carry all in civil affaires according to the Law of the Land, and do the contrary is *State-hypocrisie*; Hypocrisie towards the Law, like that of *Judas* towards *Christ* *Kissing and crucifying together*: For as Execution is the Life, so non-execution the Death; Contrary-execution the most shamefull, and reproachfull death of the Law, even the crucifying of it.

5. God will require a severe account of it. God shall smite thee thou whited wall. Thinkest thou oh man! that thus corruptly judgest, that thou shalt escape the righteous judgment of God? No, God will judg those according to his rule of Judgment, *His Law*, that judg others contrary to their Rule of Judgment, the *Law of the Land*: And that more severely then the open professed Tyrants of the world, that carry all according to their own will and Pleasure, and pretend no other. For as in Church-hypocrites, *their dissembled Sanctity is double sin*: So in such State-hypocrites, *their dissembled Justice is doubled injustice*, against both men and Laws, and shall accordingly be dealt with by God, *Job. 36.13.* The Hypocrites in heart (of what kind soever) *Heap up wrath*. Those that corrupt wholesome Laws into poison, turn judgment and righteousness into *Worme-wood, Gall, and Hemlock*, *Amos 5 7.—6 12.* The Lord will feed them with *Worme-wood*, and give them water of gall to drink, *Jer. 9 15.* So speak ye therefore, and so do in your Judgment, as those that shall be judged by the Perfect Law of Liberty.

6. And lastly, If Judges do not according to the Law as a rule of Judgment, 'tis to be fear'd, people will not long be according to the Law as a rule of obedience: Partly because of their example, as ill humours fall down from the head, and corrupt the body. No wonder if people think they may be as bold with their part of the Law, as Rulers are with theirs: If these call *wrong right*, and *right wrong*, they even teach

teach these to call *evil good*, and *good evil*, *Vice Vertue*, and *Vertue Vice*. *Qualis Prator*, was one of the three *P*'s where-  
by *Charles the Fifth* would judg, *Qualis Res Publica*: And  
partly because in Law Promises of Rewards, and threats of  
Penalties the rule of Judgment are Mound and Fence to Pre-  
cepts of duty, and Prohibitions of sins the Rule of obedi-  
ence, and if those be thrown down, no marvell if these be  
trampled and trod under foot. Some few (may be) will do  
well, *Virtutis amore*; though Vertue be not rewarded, nay  
though it be punish't and Vice rewarded: *But very few, none in  
comparison*, Mic. 7. 1, 2, 3.

## DIRECTIONS:

*Directions.* If Judges would now exactly observe the Law as their Rule of  
Judgment,

## Let THEM

1. 1. Be well Skil'd in the Laws. Psal. 2. 10 *Be Instructed  
or Learned, Ye Judges of the Earth*. The great Judge of  
Heaven and Earth, is without study and Learning exactly  
Skil'd in his Law, for observance of it as his Rule of  
Judgment. That the Judges of the Earth may observe the  
Law of the Land as their Rule of Judgment, they must by  
instruction and study be Learned in it. And therefore  
*Austin* saies, *Ignorantia Judicis est Calamitas Innocentis*. A  
private mans ignorance is his *Private blemish* and *mischief*,  
but a Judges ignorance, a *Publick Calamity*. An Artificer  
cannot work by a Rule, nor a Pilot sail by a compass, he  
doth not understand: no more can a Judge proceed in Judica-  
ture according to a Law he is not Skil'd in. Besides, How  
will a cunning Lawyer work upon such an advantage? What  
false glosses will he put upon *Truth of Law*? What a mist  
of subtilty will he cast before the eyes of an *Ignorant* though  
otherwise well-meaning Judge? So that if he that with *Job*,  
*Job* 29. 15. Should be *Eyes to the Blind*, he himself  
*Blind* also, they are both like to fall into the  
Ditch.

2. Use able and diligent Disquisition of the Cause. Deut. 19 17, 18. Both the man between whom the controversie is shall stand before the Lord; And the Judges shall make diligent inquisition. Judges must know the Cause, as well as the Law before they can judg the Cause according to Law. For this cause were Counsellors and (as some say) Judges of Old called *Cognitores*, knowers (as Prophets) *Videntes*, Seers, 2 Chron. 33. 18. And Seneca in his Tragedies bids *Si iudicas cognosce*: Before you judg, know what ye judg. Truth in these Cases, whether *Civil* or *Criminal* (as in natural inquiries) *In Alto latet involuta*, lies often deep and dark and requires skill and paines to boy it up, and bring it to light: insomuch that the wisest Judges, and some are excellent Crafts-Masters at it, as we need not go farre for a President, are sometimes put to use every clew they have to wind themselves out of a Labyrinth of subtilty--perplexed iniquity. Put Questions, poize Testimonies, weigh Reasons, compase Evidenc's, consider Circumstances and the like: In such a case 'twas, that Judg Job saies, Job. 29 16. *The Cause he knew not, he searcht out*. The cause he knew not at first sight, he searcht into it till he searcht it out: and so must all that will judg of a Cause according to Law.

3. Make a right application of the Fact to the Law, or rather of the Law to the Fact. This holds as in *foro interi-ori*, in the private judgment of conscience, so in *Foro exteriori*, in the Publique Judgment of authority too. An Artificer that understands both his Rule and his Work, may work wrong by a right Rule if he make not a right application of his Rule to his work. So a Judg who is never so well acquainted with the Law the Rule of Judgment, and with the cause too, the matter to be judg'd, may yet erre in Judgment, if he make not a due application of the Rule of Law to the matter of Fact; as David saies those his Judges did, *Psal.* 58. 2. 'Tis to be supposed they knew both the Law and his Actions well enough: for he chargeth them not with ignorance of either, and they seem to make application of the known Law to his known actions; for he sets them forth with the Emblems of Justice; Scales in their bands, and the application

application, and use of these Scales too: for he sayes they *Weighed, but not Right*. They weighed violence, or wrong in their hands else they could never have burden'd his just *Actions* with the censure of *Rebellion, and Treason*.

4. *Beware of Partiality: Make your Law as God his a Law of Liberty, and judg according to Yours, as God to his, freely and without respect of Persons, Levit. 19. 15. Thou shalt not Respect the Person of the Poor, nor Honour the Person of the Mighty, and this, that thou do no Unrighteousnesse in Judgment.* Private persons and publick persons, out of the *Publick* case of *Indicature* may and ought *respect* Persons, according to their *Ranks* and conditions, *Ver. 32* of that *Chap.* And the *Quakers* (who reject the fifth, as the *Papist* the second commandment out of the dialogue) may as soon prove *Poor* out of the case of *judicature*, not to be *Respected* with the *Respect* of *Pity* and *Charity*, as others not with *Civil Honour* and *Regard* according to their respective *Ranks* and *Conditions*. But in the case of *judicature* there's not any *Respect* to be had to any Person upon any *foreign* or by *Consideration* of *Rich*, or *Poor*, *High*, or *Low*, *Small*, or *Great*, *Mean*, or *Mighty*, nor indeed *Godly*, or *Ungodly*; But onely according to the *intrinsicall Merits* of the *Cause*, and that least there be *unrighteousnes* in *judgment*; Persons regarded more then *Laws*. As an artificer that *Staring* and *Gazing* on the Persons he works for, when his eye should be upon his *Rule*, and *Work* is like to fault in his *Work*; So a *Judg* that's *Partiall* in his *Respect* to the Persons to be judg'd is in the ready way to erre in *judgment*, and be *Partiall* in the *Law*: *Mat. 2. 9.* Where the *Margin* renders, *Ye have accepted Faces, or Persons*, the *Text* reads *Ye have been Partiall in the Law*, וְנִשְׁמַט הָרָא וְנִשְׁמַט.

Whence their  
dayes cannot  
be expected to  
be long in the  
Land.

5. *Beware of gifts. Qui accipit Beneficium vendit Libertatem.* He that receiveth a gift sells his liberty. *Seneca* makes it a generall *Rule*. It ha's (if any where) its special truth and force in our Case. The judg that receiveth a gift sells his own liberty, and the *Laws* together; The liberty of his eyes to see, and the liberty of his tongue to *Sentence* according to the *Liberty* of the *Law*. *Deut. 16. 19.* *A gift doth blind the eyes of the Wise, and Pervert the Words of the Righteous* Though  
other wife

otherwise a *wise Judge*, 'twill so blind his eyes, as to disable him look either into Rule or Cause; And though otherwise a *righteous Judge*, so pervert his words, as to disable him pass Sentence accordingly, if he could look into them. But though his private Personal Judgment were according to Rule, his *Publique Authoritative Sentence* would be against it.

6. *Take heed of passion*; that they neither bring their *Hearts* with them to, nor *Hear* themselves on the *Bench*. *Gifts* will make a *wise Judge* blind; *Anger* will make him *Mad*, *Ira furor brevis est*. Now a *Mad* man is little less like to walk according to rule than a blind; *Prov. 14. 17. He that is soon angry deals foolishly*: That therefore of mine *Apostle*, Chap. 1. Vers. 19. is good counsell hereto; *Be swift to Hear, slow to speak, slow to wrath*: and for good reason to our purpose, Vers. 20. *For the wrath of man worketh not the righteousness of God*. The *Judge* that is (as *Joseph* saies *Herod* was) *Ira servum*, slave to his anger, will be (as he saith *Herod* was) *Legis Dominus* Lord of the Law; and a *Tyrannicall* Lord too; Rule it, not be rul'd by it.

6.

7. And lastly, and above all the rest, *Get hearts cast into the mould and frame of the Law of God*. This will make the gods on the Earth be and do like the God of Heaven: because like his Law that's so like him as coming out of his mouth. Greatness and goodness cannot be severed in God; They may be, and too often are in men. But when they are not only *Psal. 82. 6. Children of the most high* bearing the Image of his Power and Authority, but of the most Holy too, bearing the Image of his Purity and Holiness, they will then be sure in their measures to act like the most High and Holy One; more especially get hearts awed with the fear, and affected with the love of the Law of God, those two qualifications of *Jethro's* Judges, *Exod. 18. 21. He that feareth God* will fear, if ignorant of the Laws to fill up a place he doth not suffice for; and if skil'd in them, he will make diligent inquisition into the fact, a right application of the Rule to it, beware of partiality, gifts, and passion. Therefore is this *Jethrophaphat's* first direction to his Judges 2 *Chron. 19. 7.*

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*Let the fear of the Lord be upon you.* And the unjust Judg his not regarding men (what he did to them) had the want of the fear of God at the bottom of it, *Luk. 18. 2.* And for love of the Law of God, it will first hold mens hearts close to the Law of God, and then to the Law of the Land, so farre as according to the Law of God: And further, I neither exhort, nor direct.

To the JURORS, who have here for some years past been recovering in their credit; That they may do so still, one word more than what hath been said to them: *Do not any one of you Exod. 23. 2. follow a multitude, much less a multitude of you follow some one crafty companion to do evil; Least of all lead in it.* So speak Ye, and especially so swear, and do as they that shall be judged.

*To the Council Learned in the Law.*

If I understand your work, 'tis only so to open, and argue your Clyents Cause, that Judges both of Law and Fact may be able to make out a right Judgment of it. *Speak not ye in a Cause to pervert Judgment, Exod. 23. 2.* Go not about to get the Opinion of good Lawyers by corrupting good Laws: Consider, you plead not only before earthly Gods, and *those wise as an Angel of God, but before the God of Heaven too*, who is with them in the Judgment. Dare not be unrighteous Advocates for any Clyent before him on earth, before whom you need a righteous Advocate in Heaven, less able to plead your own cause there, than the simplest of your Clyents his here. *So speak ye, and so do*, that the storm fall not yet upon the Lawyers, that's now off from the Laws.

*To the Witnesses.*

Do not you *Exod. 23. 1. raise a false report*; or if raised by others, *do not bear it in false Witness*, to prevent or pervert Right Judgment. *Jesus Christ* the faithfull and true Witness, will be now Witness, and hereafter judg of your *false-*

*fals-witnesſs, and make you true Wiſneſſes againſt your ſelves,  
who are falſ-witneſſes for, or againſt others.*

*So Speak Ye, and all others not ſpoken to, and ſo Do, at  
this Affize, as they that at the general Affize ſhall be judged by  
the Law of Liberty.*

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*Errata.*

P Age 4. l. 13. r. according to. lb. 21. r. better clearing. p. 5. l. 26. r. is the  
p. 6. l. 30. r. our God. lb. l. 32. r. manner or. p. 8. l. 23. r. never vouch-  
safed. p. 19. l. 3. r. matter of. p. 21. l. 3. for שכבר שכם

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*F I N I S.*

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